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AO 91 (Rev. 11/11) Criminal Complaint

Officer:

Christopher Carr

Telephone: (313) 378-8942

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Mario DE LEON CIFUENTES

Case No. 24-30424

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 18, 2024 in the county of Washtenaw in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Sections 1326(a), (b)
(1)

Unlawful Reentry Following Removal from the United States

This criminal complaint is based on these facts:

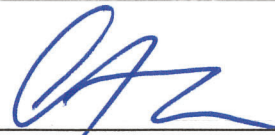
On or about May 18, 2024, in the Eastern District of Michigan, Southern Division, Mario DE LEON CIFUENTES, an alien who had previously been convicted of a felony offense and was subsequently removed from the United States on or about January 23, 2024, at or near Brownsville, Texas, was thereafter found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Sections 1326(a), (b)(1).

☒ Continued on the attached sheet.

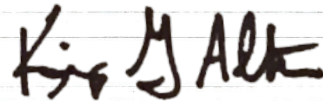
Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: October 2, 2024

City and state: Detroit, Michigan

*Complainant's signature*

Christopher Carr, Deportation Officer

Printed name and title*Judge's signature*

Hon. Kimberly Altman, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST
WARRANT**

I, Christopher Carr, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) of the United States Department of Homeland Security (DHS) at the Detroit Field Office. I have been employed in this capacity since March 2019. I am currently assigned to the Detroit ICE-ERO Fugitive Operations team.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and an arrest warrant for Mario DE LEON CIFUENTES, a native and citizen of Mexico who has previously been convicted of a felony offense and was subsequently removed from the United States on or about January 23, 2024, at or near Brownsville, Texas, and was thereafter found in the United States on or about May 18, 2024, without having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission, all in violation of Title 8, United States Code, Sections 1326(a), (b)(1).
3. The information contained in this affidavit is based upon my personal knowledge and observations, information provided by other law enforcement personnel to include ICE ERO Deportation Officers, and database record checks. I have also reviewed records from the official immigration file and system automated data relating to DE LEON CIFUENTES. I have not included every fact known to law enforcement related to this investigation.

PROBABLE CAUSE

4. DE LEON CIFUENTES is a thirty-six-year-old citizen and a native of Mexico who last entered the United States on an unknown date, at an unknown place, without being inspected and admitted or paroled by an immigration officer.
5. On November 6, 2006, U.S. Border Patrol arrested DE LEON CIFUENTES in Phoenix, Arizona and voluntarily returned him to Mexico on the same day.

6. On October 4, 2007, the United States Border Patrol arrested DE LEON CIFUENTES in Harlingen, Texas and voluntarily returned him to Mexico on the same day.
7. On March 14, 2016, the 14A-2 District Court in Ypsilanti, Michigan convicted DE LEON CIFUENTES of Operating with a Blood Alcohol Content of .17% or More, in violation of Michigan Compiled Law (MCL) § 257.625(1)(c) and sentenced him to 180 days suspended jail sentence and \$1,455 in fines and costs.
8. On March 14, 2016, ICE ERO arrested DE LEON CIFUENTES in Ann Arbor, Michigan and served him with a Form I-862, Notice to Appear, for removal proceedings.
9. On May 16, 2016, an immigration judge in Detroit, Michigan ordered DE LEON CIFUENTES removed from the United States to Mexico.
10. On May 24, 2016, ICE ERO removed DE LEON CIFUENTES from the United States to Mexico.
11. On January 28, 2023, the Washtenaw County Sheriff's Office in Ann Arbor, Michigan arrested DE LEON CIFUENTES for Assault with Intent to Do Great Bodily Harm Less than Murder or by Strangulation; Interfering with Electronic Communications; and Malicious Destruction of Personal Property \$200-\$1,000. The same day, ICE ERO received notification of the arrest. On February 28, 2023, the 14B District Court in Ypsilanti, Michigan dismissed the charges against DE LEON CIFUENTES.
12. On March 6, 2023, ICE ERO arrested DE LEON CIFUENTES in Ann Arbor, Michigan and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
13. On March 21, 2023, ICE ERO removed DE LEON CIFUENTES from the United States to Mexico via Brownsville, Texas.
14. On May 21, 2023, US Border Patrol arrested DE LEON CIFUENTES in Rio Grande Valley, Texas and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

15. On May 22, 2023, US Border Patrol removed DE LEON CIFUENTES from the United States to Mexico via Hidalgo, Texas.
16. On November 4, 2023, the Washtenaw County Sheriff's Office in Ann Arbor, Michigan arrested DE LEON CIFUENTES. On November 6, 2023, ICE ERO received notification of the arrest.
17. On January 11, 2024, the 14B District Court in Ypsilanti, Michigan convicted DE LEON CIFUENTES for Malicious Destruction of Personal Property, valued \$200-\$1,000, a misdemeanor in violation of MCL § 750.377a(1)(c)(i), and Police Officer – Assaulting / Resisting, a felony in violation of MCL § 750.81d(1), and sentenced him to 365 days in jail for each offense, with credit for 69 days served, to run concurrently.
18. On January 12, 2024, ICE ERO arrested DE LEON CIFUENTES at the Washtenaw County Jail in Ann Arbor, Michigan after he was released from custody and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
19. On January 23, 2024, ICE Air Operations removed DE LEON CIFUENTES from the United States to Mexico via Brownsville, Texas.
20. On May 16, 2024, DE LEON CIFUENTES was arrested by Pittsfield, Michigan Police Department for Aggravated Assault and Police Officer – Strongarm. On May 18, 2024, ICE ERO received notification of the arrest and placed a detainer.
21. On September 25, 2024, the 14A-2 District Court in Ypsilanti, Michigan convicted DE LEON CIFUENTES of Attempted Police Officer – Assaulting / Resisting / Obstructing, in violation of MCL § 750.81d(1), and Aggravated Assault, in violation of MCL § 750.81a(1), and sentenced him to 132 days in jail for each offense, with credit for time served, to run concurrently.
22. On September 26, 2024, ICE ERO arrested DE LEON CIFUENTES at the Washtenaw County Jail in Ann Arbor, Michigan after he was released from custody and transported him to the ICE ERO Detroit Field Office for processing.
23. The arrest and subsequent detention of DE LEON CIFUENTES was an administrative, non-criminal action made pursuant to the authority found in

sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

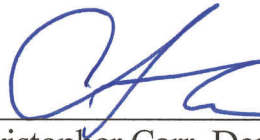
24. DE LEON CIFUENTES' fingerprints and photograph were captured and searched in the ICE/FBI systems. The fingerprints returned with a positive match for Mario DE LEON CIFUENTES, a native and citizen of Mexico who had previously been removed from the United States.

25. A review of DE LEON CIFUENTES' immigration file, record checks, and queries in the U.S. Department of Homeland Security databases confirmed that DE LEON CIFUENTES did not obtain the permission or express consent from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on January 23, 2024.

26. On September 26, 2024, ICE-ERO served DE LEON CIFUENTES with Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

CONCLUSION

27. Based on the above information, I believe there is probable cause to conclude that Mario DE LEON CIFUENTES is native and citizen of Mexico who has previously been convicted of a felony offense and subsequently removed from the United States on or about January 23, 2024, at or near Brownsville, Texas, and was thereafter found in the United States on or about May 18, 2024 in the Eastern District of Michigan, without first having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Sections 1326(a), (b)(1).



Christopher Carr, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Honorable Kimberly Altman
United States Magistrate Judge

Dated: October 2, 2024